

REMARKS

The present response is to the Office Action mailed in the above-referenced case on July 28, 2006. Claims 29-38 are standing for examination. The Examiner states the Oath and Declaration is defective because a serial number is incorrectly cited. The specification is also objected to. The Examiner has rejected claims 29-38 under 35 U.S.C. 102(e) as being anticipated by Oyama et al. (US 6,199,113) hereinafter Oyama. Applicant points out that the Examiner likely errs when citing the Oyama patent number. For the sake of the present response, applicant refers to Oyama U.S. 6,910,020 as the primary reference relied upon by the Examiner.

Applicant has carefully studied the prior art cited and applied by the Examiner, and the Examiner's rejections and statements in the instant Office Action. In response, applicant herein presents valid arguments clearly showing that the reference of Oyama fails to read on applicant's invention, as claimed. The specification and Oath, Declaration is amended to correct an errors as required by the Examiner.

Regarding claim 29, the Examiner states Oyama teaches; " a system for authenticating a user of network (Oyama: col. 2, lines 2 1-26), comprising: a network-connected verification server for performing the authentication (Oyama: col. 4, lines 18-25; bank 1b); and

a network-connected appliance operable by the user for sending a request for authentication (Oyama: col. 3, lines 56-64);

wherein the user specifies at least one network destination site known to the user as capable of accepting the user's username-password pair included in the request for authentication and a username-password pair for the user (Oyama: col. 3, lines 58- col. 4, line 6), and the server, in response to the request causes navigation to the at least one site

and attempts a login with the username-password pair, successful login comprising authentication (Oyama: col. 4, lines 7-17).

Applicant argues that Oyama fails to teach navigating to the site specified by the user and attempting a login at the site using the username and password provided by the user to gain authentication to the network. Oyama teaches that customer 4 is applying for a new account of the bank 1a for the first time. The customer 4 is requested to enter “existing account information” that describes one of the bank accounts that the customer 4 currently holds. This existing account information actually includes: cooperative bank identification code, account number, password, and the like. Upon receipt of the account application information and existing account information, the customer processing means 6 transmits them all to the target bank 1a over the open network 3.

In the bank 1a of Oyama, the target bank processing means 7 receives the account application information and existing account information transmitted from the customer processing means 6. The target bank processing means 7 then forwards the received existing account information to the bank 1b where the customer’s bank account resides, thereby requesting the cooperative bank processing means 8 to make a confirmation of the identity of the customer 4. This authentication request, or actually an account confirmation request, is delivered to the bank 1b over the inter-bank network 2.

The cooperative bank processing means 8, of Oyama, in the bank 1b receives the existing account information and compares it with the entries of a registered account directory 8a stored therein, thereby confirming that the customer’s account is registered as claimed in the existing account information. The result of this account confirmation is sent back to the bank 1a via the inter-bank network 2. Bank 1a then decides whether to open the new account for the customer 4 (col.3, line 55 to col. 4, line 24).

Applicant specifically claims; "wherein the user specifies at least one network destination site known to the user as capable of accepting the user's username-password pair included in the request for authentication and a username-password pair for the user, and the server, in response to the request, causes navigation to the at least one site and attempts a login with the username-password pair, successful login comprising authentication.

Applicant argues that Oyama has an architecture of network connected cooperating banks having direct communication. Authentication does not take place by attempting user logins as claimed. Oyama authenticates the identity of a user included in a request by matching received information via the network connection by direct hand shaking communication between banks 1a and 1b. Bank 1a of Oyama does not navigate to a Web site belonging to bank 1b and attempt login on behalf of the user with the user provided username/password pair, as claimed in applicant's invention. Therefore, Oyama fails to teach all of applicant's limitations, as claimed.

As a broad statement for the record, it appears the examination in this case is following the old path of investing prior art status in inventions that accomplish the same or a similar purpose as the invention in examination, rather than following the principle that it is the actual limitations of the claim that must be found in the art. Oyama simply fails to teach applicant's invention, *as claimed*, which is required to prove a valid prima facie case of anticipation.

Applicant also respectfully request the Examiner please provide a valid piece of prior art to reject applicant's invention, or please allow the case, as this is the 10th action issued by the Examiner, and at this stage it seems reasonable to come to the conclusion that there is no known art in the public domain that anticipates or suggests applicant's invention, as claimed.

Applicant believes claim 29 is clearly and unarguably patentable over the art of Oyama as argued above. Method claim 34 is also patentable as argued on behalf of claim 29. Dependent claims 30-33 and 35-38 are patentable on their own merits or at least as depended from a patentable claim.

All of the claims are clearly patentable over the art cited and applied it is respectfully requested that this application be reconsidered, the claims be allowed, and that this case be passed quickly to issue.

If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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